

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Eastern District of Texas

Case number (if known): _____ Chapter **11**

☐ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/24

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name

The Benk Group LLC

2. All other names debtor used in the last 8 years

Emerald Cut Lawn & Landscape

Include any assumed names, trade names, and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN)

8 7 - 1 0 7 6 8 7 8

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

1960 Tapadero Lane

Number Street

Celina, TX 75009

City State ZIP Code

Collin

County

Number Street

City State ZIP Code

Location of principal assets, if different from principal place of business

609 E. Pleasant Run Road

Number Street

Cedar Hill, TX 75104

City State ZIP Code

5. Debtor's website (URL)

<https://emeraldcutlawns.com>

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify: _____

Debtor The Benk Group LLC

Name

Case number (if known) _____

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

5 6 1 7

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725 (amount subject to adjustment on 4/01/25 and every 3 years after that).
- ☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and it chooses to proceed under Subchapter V of Chapter 11.
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

District _____ When _____ Case number _____
MM / DD / YYYY

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☒ No

☐ Yes. Debtor _____ Relationship _____

List all cases. If more than 1, attach a separate list.

District _____ When _____
MM / DD / YYYY

Case number, if known _____

Debtor The Benk Group LLC Case number (if known) _____
Name

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other _____

Where is the property? _____

Number Street

City

State

ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency _____
Contact name _____
Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds?

Check one:

- ☐ Funds will be available for distribution to unsecured creditors.
- ☒ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- ☒ 1-49 ☐ 50-99 ☐ 1,000-5,000 ☐ 5,001-10,000 ☐ 25,001-50,000 ☐ 50,000-100,000
- ☐ 100-199 ☐ 200-999 ☐ 10,001-25,000 ☐ More than 100,000

15. Estimated assets

- ☐ \$0-\$50,000 ☒ \$1,000,001-\$10 million ☐ \$500,000,001-\$1 billion
- ☐ \$50,001-\$100,000 ☐ \$10,000,001-\$50 million ☐ \$1,000,000,001-\$10 billion
- ☐ \$100,001-\$500,000 ☐ \$50,000,001-\$100 million ☐ \$10,000,000,001-\$50 billion
- ☐ \$500,001-\$1 million ☐ \$100,000,001-\$500 million ☐ More than \$50 billion

Debtor The Benk Group LLC
Name

Case number (if known) _____

16. Estimated liabilities

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- I have been authorized to file this petition on behalf of the debtor.
- I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 01/13/2025
MM/ DD/ YYYY

X

/s/ Eric Shaffer

Signature of authorized representative of debtor

Eric Shaffer

Printed name

Title Managing Member

18. Signature of attorney

X

/s/ Robert T DeMarco

Signature of attorney for debtor

Date 01/13/2025

MM/ DD/ YYYY

Robert T DeMarco

Printed name

DeMarco Mitchell, PLLC

Firm name

500 N. Central Expressway Suite 500

Number Street

Plano

City

TX

State

75074

ZIP Code

(972) 991-5591

Contact phone

robert@demarcomitchell.com

Email address

24014543

Bar number

TX

State

Fill in this information to identify the case:

Debtor name The Benk Group LLC

United States Bankruptcy Court for the:

Eastern District of Texas

Case number (if known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	Top Tier Capital 500 W. Putnum Ave Ste. 400 Greenwich, CT 06830		Merchant Cash Advance Loan	Disputed Unliquidated			\$474,030.00
2	Artex Telecommunications LLC 1960 Tapadero Lane Celina, TX 75009		Money Loaned				\$335,510.04
3	Overton Funding LLC 2802 N. 29th Ave. Hollywood, FL 33020		Merchant Cash Advance Loan	Disputed Unliquidated			\$200,750.00
4	SQ Advance 7901 4th St. N. Ste. 300 Saint Petersburg, FL 33702		Merchant Cash Advance Loan	Disputed Unliquidated			\$193,528.15
5	Black Book Ventures LLC 20005 Trinity Oaks Road Weatherford, TX 76087		merchant loan	Disputed Unliquidated			\$190,896.00
6	JP Morgan Chase 700 Kansas Lane Monroe, LA 71203		Credit Card				\$132,553.31
7	Rapid Finance 4500 East West Highway 6th Floor Bethesda, MD 20814		merchant loan	Disputed Unliquidated			\$119,453.61
8	Fundbox Inc 5760 Legacy Dr. Ste. B3-535 Plano, TX 75024		Line of Credit	Disputed Unliquidated			\$113,628.68

Debtor **The Benk Group LLC**

Name

Case number (if known)

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
9	Baypoint Funding, LLC 370 Lexington Ave. Ste. 801 New York, NY 10017		Merchant Cash Advance Loan	Disputed Unliquidated			\$112,425.00
10	Slate Advance 15 America Ave Unit 303 Lakewood, NJ 08701-4582		Merchant Cash Advance Loan	Disputed Unliquidated			\$95,600.00
11	Forest Capital 2 University Plz Ste 211 Hackensack, NJ 07601-6202		Merchant Cash Advance Loan	Disputed Unliquidated			\$91,258.34
12	Eric & Kirsten Shaffer 1960 Tapadero Lane Celina, TX 75009		shareholders loan				\$78,050.51
13	Regions Bank d/b/a Ascentium Capital 23970 Hwy. 59 N Kingwood, TX 77339		merchant loan				\$73,441.00
14	Smart Business 366 N. Broadway Jericho, NY 11753			Disputed Unliquidated			\$69,219.00
15	Grover Capital LLC 1614 E. 31st St. Brooklyn, NY 11234		merchant loan	Disputed Unliquidated			\$55,445.48
16	Newtek Small Business Finance, Inc. 1981 Marcus Ave. Ste. 130 New Hyde Park, NY 11042		merchant loan	Disputed Unliquidated			\$49,388.52
17	DLP Funding LLC 447 Broadway 2nd Fl Unit 804 New York, NY 10013		Merchant Cash Advance Loan	Disputed Unliquidated			\$36,790.89
18	Oakwood Business Funding 633-699 NE 167th St #814 Miami, FL 33162		Merchant cash loan	Disputed Unliquidated			\$34,750.00
19	American Express P.O. Box 981535 El Paso, TX 79998-1535		credit card				\$32,659.03
20	American Express Attn: Express Remittance Processing 20500 Belshaw Ave. Carson, CA 90746		Line of Credit				\$30,737.79

Fill in this information to identify the case:

Debtor name The Benk Group LLC

United States Bankruptcy Court for the:

Eastern District of Texas

Case number (if known): _____

☐ Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING – Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ Schedule A/B: Assets–Real and Personal Property (Official Form 206A/B)
- ☐ Schedule D: Creditors Who Have Claims Secured by Property (Official Form 206D)
- ☐ Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 206E/F)
- ☐ Schedule G: Executory Contracts and Unexpired Leases (Official Form 206G)
- ☐ Schedule H: Codebtors (Official Form 206H)
- ☐ A Summary of Assets and Liabilities for Non-Individuals (Official Form 206A-Summary)
- ☐ Amended Schedule _____
- ☐ Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders (Official Form 204)
- ☒ Other document that requires a declaration List of Equity Security Holders

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 01/13/2025
MM/ DD/ YYYY

X

/s/ Eric Shaffer

Signature of individual signing on behalf of debtor

Eric Shaffer

Printed name

Managing Member

Position or relationship to debtor

Ally
PO Box 380902
Minneapolis, MN 55438

American Express
P.O. Box 981535
El Paso, TX 79998-1535

American Express
Attn: Express Remittance Processing
20500 Belshaw Ave.
Carson, CA 90746

Artex Telecommunications
LLC
1960 Tapadero Lane
Celina, TX 75009

Attorney General of Texas
OAG/CSD/Mail Code 38
PO Box 12017
Austin, TX 78711-2017

Attorney General of the
United States
Main Justice Bldg., Rm. 5111
10th & Constitution Ave. N.W.
Washington, DC 20503

Balboa Capital Corp.
575 Anton Blvd. 12th fl
Costa Mesa, CA 92626

Balboa Capital/Ameris Bank
575 Anton Blvd. Ste. 1080
Costa Mesa, CA 92626

Baypoint Funding, LLC
370 Lexington Ave. Ste. 801
New York, NY 10017

Black Book Ventures LLC
20005 Trinity Oaks Road
Weatherford, TX 76087

Capital on Tap
215 S. State St. Ste. 1000

Citi Advantage
PO Box Box 6500
Sioux Falls, SD 57117

DLP Funding LLC
447 Broadway 2nd Fl Unit 804
New York, NY 10013

Emerald Cut Lawn and
Landscape Inc
609 E. Pleasant Run Rd.
Cedar Hill, TX 75104

Eric & Kirsten Shaffer
1960 Tapadero Lane
Celina, TX 75009

First Internet Bank of Indiana
11201 USA Parkway
Fishers, IN 46037

First National Bank of Omaha
1620 Dodge St.
Omaha, NE 68197

Forest Capital
2 University Plz Ste 211
Hackensack, NJ 07601-6202

Fundbox Inc
5760 Legacy Dr. Ste. B3-535
Plano, TX 75024

Grover Capital LLC
1614 E. 31st St.
Brooklyn, NY 11234

Internal Revenue Service
Centralized Insolvency Operations
PO Box 7346
Philadelphia, PA 19101-7346

Internal Revenue Service -
Centralized Insolvency Operations
PO Box 7346
Philadelphia, PA 19101-7346

Jacob Z. Weinstein
420 Central Ave. Ste. 301
Cedarhurst, NY 11516

JP Morgan Chase
700 Kansas Lane
Monroe, LA 71203

Newtek Small Business
Finance, Inc.
1981 Marcus Ave. Ste. 130
New Hyde Park, NY 11042

Nomas Recovery LLC
Josh Weinstein
270 Avenida Muñoz Rivera suite 310
San Juan, PR 00918

Oakwood Business Funding
633-699 NE 167th St #814
Miami, FL 33162

Office of the Attorney General
Bankruptcy-Collections Division
Po Box 12548
Austin, TX 78711-2548

Office of the United States
Trustee
903 San Jacinto Blvd Ste 230
Austin, TX 78701-2450

Overton Funding LLC
2802 N. 29th Ave.
Hollywood, FL 33020

Paypal Loan Builder
2211 N. 1st St
San Jose, CA 95131

PNC Equipment Finance
655 Business Center Dr. Suite 250
Horsham, PA 19044

Rapid Finance
4500 East West Highway 6th Floor
Bethesda, MD 20814

Regions Bank
d/b/a Ascentium Capital
23970 Hwy. 59 N
Kingwood, TX 77339

SEC
100 F Street
Washington, DC 20549

Slate Advance
15 America Ave Unit 303
Lakewood, NJ 08701-4582

Smart Business
366 N. Broadway
Jericho, NY 11753

SQ Advance
7901 4th St. N. Ste. 300
Saint Petersburg, FL 33702

Texas Alcoholic Beverage
Commission
License and Permits Division
Po Box 13127
Austin, TX 78711-3127

Texas Attorney General's
Office
Bankruptcy Collection Division
PO Box 12548
Austin, TX 78711-2548

Texas Comptroller of Public
Accounts
PO Box 12548, MC-008
Austin, TX 78711-2548

Texas Comptroller of Public
Accounts
Bankruptcy Section
Po Box 13528
Austin, TX 78711-3528

Texas State Comptroller
PO Box 13528
Austin, TX 78711

Texas Workforce Commission
TEC Building Tax Dept.
101 E. 15th Sreet
Austin, TX 78778

Texas Workforce Commission
TEC Building - Bankruptcy
101 E 15th St
Austin, TX 78778-1442

Top Tier Capital
500 W. Putnum Ave Ste. 400
Greenwich, CT 06830

U.S. Department of HUD
307 W. 7th Street Suite 1000
Fort Worth, TX 76102

U.S. Dept. of HUD
1600 Throckmorton St
Fort Worth, TX 76113

U.S. Dept. of Veterans Affairs
Regional Office, Finance Section (24)
701 Clay Ave
Waco, TX 76799-0001

U.S. Securities & Exchange
Comm.
Fort Worth Regional Office
801 Cherry St Ste 1900 Unit 18
Fort Worth, TX 76102-6819

U.S. Small Business
Administration
4300 Amon Carter Blvd Suite 114
Fort Worth, TX 76155

U.S. Small Business
Administration
150 Westpark Way Suite 130
Euless, TX 76040

United States Attorney
110 North College Ave, Ste. 700
Tyler, TX 75702-0204

United States Attorney
110 North College Ave. Ste. 700
Tyler, TX 75702-0204

United States Trustee
110 North College Ave., Ste. 300
Tyler, TX 75702-7231

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE: **The Benk Group LLC**

CASE NO

CHAPTER 11

VERIFICATION OF CREDITOR MATRIX

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date **01/13/2025**

Signature **/s/ Eric Shaffer**
Eric Shaffer, Managing Member

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:
The Benk Group LLC

CHAPTER 11

DEBTOR(S)

CASE NO

LIST OF EQUITY SECURITY HOLDERS

Registered Name of Holder of Security Last Known Address or Place of Business	Class of Security	Number Registered	Kind of Interest Registered
Eric Shaffer 1960 Tapadero Lane Celina, TX 75009	Managing member		49
Kirsten Shaffer 1960 Tapadero Lane Celina, TX 75009	Member		51

**DECLARATION UNDER PENALTY OF PERJURY
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the Managing Member of the Nonpublic Corporation
named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true
and correct to the best of my information and belief.

Date: 01/13/2025

Signature: /s/ Eric Shaffer
Eric Shaffer, Managing Member